

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

SANDRIA L. SHELDON, #1363945 §
VS. § CIVIL ACTION NO. 6:08cv35
JIM BURKETT, ET AL. §

ORDER OF PARTIAL DISMISSAL

Plaintiff Sandria L. Sheldon, a Texas prison inmate previously confined at the Smith County Jail, proceeding *pro se* and *in forma pauperis*, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983. The complaint was referred to United States Magistrate Judge Judith K. Guthrie, who issued a Report and Recommendation concluding that the Plaintiff should be permitted to proceed with her rape charges against Trooper Jim Burkett and that her remaining claims should be dismissed. The Plaintiff has filed a response entitled “Plaintiff’s Objections to the Court’s Recommendation of Dismissal of this Lawsuit,” wherein she agrees with the decision to permit her to proceed against Defendant Burkett and to dismiss the remaining Defendants. The Plaintiff’s document will be construed as objections, although she did not actually make any objections.

The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and having made a *de novo* review of the objections raised by the Plaintiff to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the

objections of the Plaintiff are without merit. Therefore the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly

ORDERED that the Plaintiff may proceed with her rape charges against D.P.S. Trooper Jim Burkett. It is further

ORDERED that the Plaintiff's claims against the remaining Defendants are **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915A(b)(1).

So ORDERED and SIGNED this 30th day of July, 2008.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

LEONARD DAVIS
UNITED STATES DISTRICT JUDGE